

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Zachary F. Donaldson

Debtor

Lakeview Loan Servicing LLC

Movant

v.

Zachary F. Donaldson

Respondent

NO. 16-21992 CMB

CHAPTER 13

Related to Doc. 62, 65

STIPULATION AND ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the following Stipulation:

WHEREAS, Movant's claim is secured by a mortgage on Debtor's property located at 222 Beisner Avenue, Pittsburgh, PA 15227;

WHEREAS, Movant has filed a motion for relief from the automatic stay;

WHEREAS, Debtor has filed a response opposing relief from the automatic stay;

WHEREAS, the parties enter into this Stipulation to resolve the motion for relief from the automatic stay.

It is therefore Stipulated and agreed as follows:

1. The automatic stay is terminated as it affects the interests of the Movant with respect to the property at 222 Beisner Avenue, Pittsburgh, PA 15227, provided however, that relief from stay is stayed in accordance with the conditions set forth in Paragraphs 2-5, below.
2. On a go-forward basis from and after the date of the Order approving this Stipulation, the Debtor shall timely make full plan payments to the Chapter 13 Trustee, on or before the date upon which the respective plan payment is due.

3. Time is of the essence as to all plan payments going forward.
4. For the duration of this bankruptcy case, in the event that the Chapter 13 Trustee has not received a full plan payment by the last day of the month in which the Debtor's payment is due, as indicated by the Chapter 13 Trustee's online records, then the stay provided in Paragraph 1, above, shall be vacated and the automatic stay unconditionally lifted as it affects the interests of the Movant with respect to the property at 222 Beisner Avenue, Pittsburgh, PA 15227, upon the filing of an Affidavit of Default by Movant, without further hearing or without entry of an additional order. Such Affidavit of Default shall contain a statement of default as supported by the Movant's own records as well as the records of the Chapter 13 Trustee.
4. Relief from the automatic stay shall be effective immediately upon conversion of Debtor's case to a case under Chapter 7.
5. In the event that the automatic stay is terminated as provided by this Order, then the Trustee shall make no further disbursements to Respondent on account of its secured claim, unless directed otherwise by further Order of Court.
6. The hearing scheduled for August 15, 2018 at 11:00 am is cancelled.

Consented to by:

/s/ Brad Hamric, Esquire

Brad Hamric, Esquire
Attorney for Debtor
Mowry Building
90 Clairton Blvd.
Pittsburgh, PA 15236
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hamriclaw@comcast.net

/s/ James C. Warmbrodt, Esquire

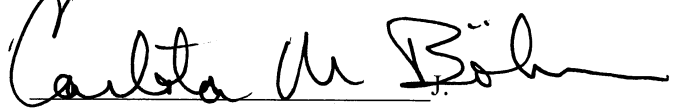
James C. Warmbrodt, Esquire
KML Law Group, P.C.
Attorney for Movant
701 Market Street, Suite 5000
Philadelphia, PA 19106
Phone: 215-627-1322
jwarmbrodt@kmlawgroup.com

/s/ Owen Katz, Esquire

Owen Katz, Esquire
Attorney for Chapter 13 Trustee
US Steel Tower-Suite 3250
Pittsburgh, PA 15219

It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.

By the Court,

A handwritten signature in black ink, appearing to read "Carla M. Boh", written over a horizontal line.

FILED

AUG 13 2018

CLERK, U.S. BANKRUPTCY COURT
WEST DIST. OF PENNSYLVANIA

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Zachary F. Donaldson
Debtor

Case No. 16-21992-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 15, 2018.

db +Zachary F. Donaldson, 222 Beisner Ave, Pittsburgh, PA 15227-3204

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 15, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 13, 2018 at the address(es) listed below:

Brad L. Hamric on behalf of Debtor Zachary F. Donaldson hamriclaw@comcast.net
James Warmbrodt on behalf of Creditor Lakeview Loan Servicing LLC bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor School District of the Borough of Brentwood
jhunt@grblaw.com, cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor Borough of Brentwood jhunt@grblaw.com,
cnoroski@grblaw.com
Joshua I. Goldman on behalf of Creditor Lakeview Loan Servicing LLC bkgroup@kmlawgroup.com
Matthew John McClelland on behalf of Creditor Lakeview Loan Servicing LLC
bkgroup@kmlawgroup.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,
ckutch@ecf.courtdrive.com; acarr@bernsteinlaw.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com; srk@sjwpgh.com

TOTAL: 10